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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,030	09/24/2003	Vivien Johan Cambridge	MS-783-A	5019

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07/20/2007

EXAMINER

FIELDS, BENJAMIN S

ART UNIT	PAPER NUMBER
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3609

MAIL DATE	DELIVERY MODE
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07/20/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/670,030	Applicant(s) CAMBRIDGE, VIVIEN JOHAN	
	Examiner BENJAMIN S. FIELDS	Art Unit 3609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. The Examiner notes reference made to Provisional Application No. 60/286,364, filed April 26, 2001. This Application was filed correctly according to guidelines. Application No.10/132,315, filed April 26, 2002, however, was abandoned 30 July 2002.
2. The instant Application No. 10/670,030 has been filed in this office 24 September 2003.
3. Copendency between the current application and the prior application is required. Since the applications are not copending, the benefit claim to the prior-filed nonprovisional application is improper. Applicant is required to delete the reference to the prior-filed application from the first sentence(s) of the specification, or the application data sheet, depending on where the reference was originally submitted, unless applicant can establish copendency between the applications.
4. As such, the earliest date of priority Applicant can receive is that of the instant Application No. 10/670,030, as have being filed in this office 24 September 2003.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-3 and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Hultgren (US Pat. No. 6,868,391), [hereinafter Hultgren].

7. Referring to Claim 1: Hultgren teaches a system for establishing and maintaining an account between a website having access to a bank account and a customer for an interactive website service (Hultgren: Figure 1), with said customer having access to the customer's bank, comprising, a transaction server, a website server, website administration apparatus and service performance apparatus (Hultgren: Column 1, Lines 54-Column 2, Line 38).

8. Referring to Claim 2: Hultgren discloses a system wherein said transaction server facilitates electronic communication amongst said customer, said website administration apparatus, said customer's bank, and said operator's bank (Hultgren: Figures 1 & 13).

9. Referring to Claim 3: Hultgren shows a method for establishing and maintaining an account between a operator (Hultgren: Column 1, Line 65 – Column 2, Lines 1-3), a bank of said website operator, a customer for interactive website services, and a bank of said customer comprising the steps of: collecting data from said customer in support of the customer's application for service (Hultgren: Figure 1), processing said customer data to obtain approval or denial of said customers application (Hultgren: Figures 3A-3C), in the event of approval issuing a username and password and communicating said username and password in a database maintained by the website operator, and

establishing a communication data stream between the customer and the source of said website services (Hultgren: Abstract, Lines 6-11; Column 1, Lines 60-64).

10. Referring to Claim 5: Hultgren discusses a method including the step of the customer providing the customer's bank with authorization to charge the customer's account following said approval (Hultgren: Column 9, Lines 1-47; Figures 3A, 3C).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hultgren in view of McGee (US PG Pub. No. 2003/0144924), [hereinafter McGee].

13. Referring to Claim 4: Hultgren discloses the limitations as set forth in Claim 3.

Hultgren, however, does not teach a method wherein the source of said website is remote from said website.

McGee, in a similar environment shows a method wherein the source of said website is remote from said website (McGee: Page 2, Paragraph 0016).

At the time of invention it would have been obvious to modify the method of Hultgren with the invention of McGee in order to meet the needs for users to have more practical information in order to make multiple product/service purchases (McGee: Page 1, Paragraph 0014).

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bartkowiak et al. (US Pat. No. 701,053) shows an event management system.

Sung et al. (US PG Pub. No. 2002/0059102) teaches a method and system for advertising on the Internet.

Shieh et al. (US Pat. No. 593,3600) discusses a control for reduced delay in internet data transfers based on limitations established in a server system.

Any inquiry concerning this communication should be directed to Benjamin S. Fields at telephone number 571.272.9734. The examiner can normally be reached Monday through Thursday, 9am to 7pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi Tran can be reached at (571) 272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Benjamin S. Fields
10 July 2007


MATTHEW S. GART
PRIMARY EXAMINER
TECHNOLOGY CENTER 3600